

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

951A0209

HOUSE BILL NO. 1082

Introduced by: Representatives Diedrich, Apa, Crisp, DeMersseman, Fiegen, Jaspers, Johnson (Doug), and Monroe and Senators Aker, Halverson, and Johnson (William)

1 FOR AN ACT ENTITLED, An Act to reduce the voting requirements of the board of
2 adjustment.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 11-2-25.1 be amended to read as follows:

5 11-2-25.1. The board of county commissioners may ~~provide for the appointment of~~ appoint
6 the planning and zoning commission to serve as a board of adjustment, ~~and in the regulations and~~
7 ~~controls adopted pursuant to this chapter may provide that the said.~~ The board of adjustment
8 may, in specific cases, ~~in order that~~ to avoid unwarranted hardship; which constitutes an
9 unreasonable deprivation of use as distinguished from the mere grant of a privilege, ~~may be~~
10 ~~avoided, make,~~ make upon an affirmative vote of ~~three-fourths~~ three-fifths of the full membership
11 of the board of adjustment, special exceptions, or grant variances to the terms of the regulations
12 or controls, subject to appropriate conditions or safeguards being adopted by the board of county
13 commissioners.